

MEMO ENDORSED

LAW OFFICES  
**PAULA J. NOTARI**  
315 MADISON AVENUE  
SUITE 901  
NEW YORK, NEW YORK 10017  
Tel. (646) 943-2172

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June 30, 2014

By email

The Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

IT IS HEREBY ORDERED THAT  
Defendant's request is GRANTED. IT  
IS FURTHER ORDERED THAT Defendant's  
sentencing is adjourned *sine die*.

Re: United States v. Damian Cunningham  
12-CR-45 (RJS)

Dear Judge Sullivan:

I was appointed to the above-referenced matter pursuant to the Criminal Justice Act. I am writing the Court to respectfully request an additional thirty (30) days to carefully review these materials with Mr. Cunningham to determine if there are additional issues to raise in post-trial motions, and to explore with the government the possibility of reaching a sentencing agreement in the matter. I have spoken with Assistant United States Attorney Jared P. Lenow regarding this request, and on behalf of the government, he consents to my proposed schedule.

On a personal note, I was appointed to this case less than 6 weeks after my newborn passed away. It took me more than a week to get the file and during that time, I was also dealing with many of my cases that needed immediate attention because I had been on maternity leave for several months. Mr. Cunningham and I are getting along very well and we do plan on moving forward as discussed above but we do need some additional time to review the record. The Government again has indicated that they have no objection.

Accordingly, I respectfully request that the Court extend the time to file any post-trial motions pursuant to Fed. R. Crim. P. 29, 33 or 34, for thirty (30) days.

Respectfully yours,  
/s/  
Paula J. Notari

cc: Jared P. Lenow, A.U.S.A.

SO ORDERED  
Date: 6/30/14  
RICHARD J. SULLIVAN  
U.S.D.J.